

## 16. SUKRITI GHOSAL

### In Quest of Quietus

#### Abstract

Euthanasia is a highly controversial form of medical intervention, for here physicians use their skill not to resuscitate the ailing but to pre-pone their death. The topic remains contentious, for medical issues have here got entangled with ethico-sociological questions like the distinction between homicide and mercy-killing, sanctity of life and death, the validity of surrogate decisions about one's life and the like. Suffering, about justified in the scripture as conditioning of the soul for life giving, is a challenge to medical scientists. While 'till I you call to heal cannot be the choice of a doctor whose first duty is non-maleficence, beneficence also demands that a physician should not be indifferent to the suffering of a patient. We seek medical intervention to alleviate suffering but, paradoxically enough, prefer medical traction when it is a question of terminating suffering or vegetative state of existence through administration of euthanasia. Since both life and death should have grace and dignity, it would be irrational to neglect this option when curative and palliative treatments have failed to run in agency. If prescribing euthanasia involves violation of any ethical code, ethical transgression is to be preferred here, since ethics is to be judged in the light of reason. With ample scriptural, literary and historical references the article attempts to evaluate euthanasia from multiple perspectives as also to justify it on non-ideological, non-ideological grounds.

#### II Quest of Quietus

In his poem 'The Ship of Death' D. H. Lawrence is skeptical about the power of death in making quietus

And can a man his own quietus make  
With a bare bosom?

With daggers, bodkins, bullets, iron can make  
a bruise or break of exit for his life  
but is that a quietus, O tell me, is it quietus?

Surely not so! For how could murder even self-murder  
ever a quietus make? (l. 17-23)

The quietus that Lawrence has in mind is metaphysical, and hence has little relevance to the issue of euthanasia (<Greek: *eu*, well + *thanatos*, death> in which death is prescribed to medically terminable long stretched physical suffering. It is a highly controversial form of medical

intervention, for now physicians use their skill not to resuscitate the ailing but to pre-empt their death. Presently the choice of death when a disease proves intractable or irreversible has been de-criminalized in some countries, thanks to the untiring efforts of Dr Jack Kevorkian, Muhammad Dr. Death, and the right-to-die movements of Hemlock Society (1960), an American activist group inspired by Dr Kevorkian's mantra that "Dying is not a crime". Yet the topic remains contentious, for medical issues have here got entangled with ethical-ontological questions like the distinction between homicide and mercy-killing, sanctity of life and death, the validity of surrogate decision about one's life and the like. The present article is an attempt to explore the multi-dimensionality of the controversy so that one may judge the matter from a more rational perspective.

Broadly speaking there are two categories of euthanasia: voluntary when a terminally ill patient like Roosevelt Dawson<sup>1</sup> opts for euthanasia and non-voluntary (also called mercy killing). When surrogate decision precedes euthanasia because a patient like Aruna Shanbaug<sup>2</sup> who is in PVS<sup>3</sup> cannot give consent. There are two more classifications depending on the method selected for termination of life. Euthanasia is designated as active if a doctor spares a patient's death by administering life-killing gas or drug. It is passive when it is a death by omission, that is, when the patient dies due to planned medical non-maintenance, like withholding or withdrawing of supply of food and drink, or non-application of life-support devices like ventilator, dialysis and oxygen mask.

Thomas More's *Utopia* (1516) may be looked upon as a blueprint of an idealized society as envisioned by a civilized thinker. With the progress of civilization, many of his ideas have become dated. For example, we do not consider it civilized to employ war-captives as slaves as proposed in *Utopia*. However, of More's insightful ideas euthanasia merits mention. The main points raised by More are that sick people in *Utopia* receive due care and attention. But when anybody is down with hideous pain and there is no hope, either of recovery or ease, then he is counseled to choose death to get rid of that 'peculiar and painful disease'. No man is forced to end his life 'against his will'. This form of death is 'without pain' as it is induced by starvation or overdose of opium. This form of death is to be approved. For taking away one's own life without the approbation of the priests and the council is suicide which is considered an offence in *Utopia*. So More recommends voluntary euthanasia in extreme cases of uncurable agony when all other care has failed, but rightly insists on approval of competent authority to distinguish it from suicide.

Euthanasia is a civilized way of saying goodbye to life when suffering makes life a torture hell. Literature has examples galore of such excruciating agony which makes life literally unbearable. One may refer to the suffering of Emma in Gustave Flaubert's *Sainte-Beuve*. Dovray. In vain hope of expiring gracefully, Emma consumes arsenic and writes in inexpressible pain before her final exit from life:

Gibouley, her moaning grew louder; a hollow sound burst from her, one presumes she was better and that she would get up presently. But she was racked with convulsions and died out—  
"Not my God! it is terrible!"

... She soon began vomiting blood. Her lips became drawn. Her eyes were convulsed, her whole body covered with brown spots, and her pulse stopped beneath the fingers like a stricken thread, like a lamp-string nearly breaking.

Her chest soon began panting rapidly; the whole of her tongue protruded from her mouth; her eyes, as they rolled, grew paler, like the two globes of a lamp that is going out so that one might

have thought her already dead but for the fearful labouring of her life, shaken by violent breathing, as if the soul were struggling to free itself (Flaubert 270-72).

Death is indeed a relief worth opting for if life is not only艰辛的 but full of torments without any promise of respite or remission. Euthanasia is thus related to the question of human endeavour to tackle a situation of incomparable suffering.

Medically considered, we suffer when we feel "pain" which may be described as a pitchingly unpleasant sensation. The source of this sensation may be physical when "the body is hurting" or psychological when the mind is tormented by reflection on a somy experience in the past (worrying of memory) or configuration of something feared (worrying of imagination). So experience of suffering is the result of exposure to what is physically or psychologically unbearable. As memory relates us to the past and imagination to the future, the suffering involved therein is virtual. As such it is outside the purview of euthanasia which is concerned with control of actual, physical distress or with ending a vegetative state of existence.

The traditional Indian attitude to suffering is that it is a form of penance for wrong-doing (in past life / karma). This attitude to suffering authorizes us to accept suffering with equanimity without looking for any redressal. What is more perplexing is that in many religions suffering is not deemed as cruel but rather justified as necessary. Christianity urges upon us not only to accept it ungrudgingly but to rejoice in it (1 Peter 4:13). The principal Biblical arguments in this regard are (1) that suffering is a passing experience which prepares us for the eternal (Romans 8:16); (2) that it is a providential design for the total of faith (1 Peter 1:7), as in the book of Job; (3) that it is need for spiritual tempering (Romans: 5:3-4); (4) that in its purest form suffering, as exemplified by the Passion of Christ, is redemptive (Paul II Int.).

Despite such justification, there is ambivalence even in the scriptures on why should Christ have a lacer or cure the affliction sores of Job. Non-metaphysically speaking, suffering is an uneasy condition which cannot be relieved and hence calls for remedy. It is not a righteous punishment to be glorified as an organic disorder, a mal- or dys-functioning of the bodily system that ought to be restrained. In other words, instead of projecting it as a divine yoke to be shouldered ungrudgingly, medical science implores it as an extreme form of anguish to be alleviated. Progress in medical science – from the application of anaesthesia (1846) to the introduction of laparoscopic surgery (1981) – may be interpreted as progressive triumph in pre-empting the pang of suffering.

But what about unmitigated suffering which requires the impotency of miracle or medicine? If medical progress is synonymous with alleviating bodily affliction, health is the only alternative and is left with where suffering cannot be relieved in. The pet phrase in the dystopic universe of Aldous Huxley's *Brave New World* is 'Ending is better than mending' (Huxley Chapter 13). But is it at all a humanly acceptable solution? 'Kill if you fail to heal' does not always seem to be a rational prescription, for it apparently goes against the right to life that everyone is entitled to.

The ethical aspect of euthanasia gets more complicated if one judges it from the physician's point of view. It has been rightly maintained that euthanasia is no sweet death: 'Euthanasia is when the doctor kills the patient' (White Ch 27). The doctor's dilemma is that he is oath-bound to save life not to destroy it. The first maxim in medical ethics is non-maleficence, the motto being *primum non nocere*, meaning 'first of all do not harm'. If so, taking away life to relieve suffering cannot be described as virtuous conduct (beneficence). To justify this act would be Machiavellian, for here the end (giving relief) may be noble but the means (killing) for achieving

the end is not human. That is why in any discussion on euthanasia a distinction is to be made between physician assisted suicide and criminal homicide. Benevolence demands that a physician should attend the ailing and try to relieve their suffering. But what comfort is there for a terminally ill patient writhing in unbearable pain? The next viable alternative is palliative care. However, according to medical survey, it is ineffective in about 5% cases<sup>2</sup>. Admittedly, DNR (Do Not Resuscitate) is the only rational option left to the doctor attending patients remaining unresponsive to curative or palliative treatment.

The polemical issue of euthanasia is zero to be judged in the light of dignity of life and dignity of death. First, although the sanctity of life entails its inviolability, living means living with dignity. Artificial continuation of life where death is deferred because the patient has been put upon ventilator is bereft of all graces that make life worth sustaining. Borrowing the words of Sebastian Horsley one may humorously describe such a life as 'the misery left between abortion and euthanasia'. Secondly, life, biologically considered, begins with the formation of zygote through fusion of two gametes, not with the killing of the umbilical cord after the birth of a child. If so, medical termination of pregnancy (MTP) would not only be immoral but a criminal act of homicide, as it actually is in countries like Ireland. But to ban MTP in the name of preserving the sanctity of life is to put the cab of civilization into reverse gear. The awful consequence of this arthodox mind-set in the 21<sup>st</sup> century is illustrated by the case Santa Kalyappuravar<sup>3</sup>, a shameful instance of sacrificing life in the name of saving life (!).

This puritanical attitude to life springs from an irrational view that death should be deferred by all means no matter whether the gain by such deference is worth losing. In J. M. Synge's *At the Sign of the Sun* Maurya desperately tries to save her sons but having lost all of them finally resigns herself to death with a rational insight into its inviolability in the scheme of life: 'He man at all can be living for ever and we must be satisfied' (Synge 69). If Maurya accepts death, because it is impossible to escape it, Tithonus in Tennyson's eponymous poem observes that immortality can be a curse. Robbed of his youth, Tithonus is a mismatch for his eternally young wife Aurora. But as he is condemned to be immortal, the aged, except Tithonus now realises the value of death in the scheme of existence.

The weak decay, the weak decay and fall  
The vapours wrap their burden to the ground  
Man comes and fills the heel and lies beneath  
And other many a summer dies the sun  
His only cruel immortality  
Consumes (Gavin 116)

So death is not always to be feared; rather it is to be welcomed if we do not want the woes of a sufferer to be prolonged. But like life death, natural or induced, should not be bereft of dignity. One of the reasons why China resists against war is that in any battle soldiers 'die as cattle' with no passing-bells but 'the monotonous anger of the guns' (Rowett 158). Mexican scholars have tried to formulate some of the main principles of dying with dignity<sup>4</sup>. Of these the most important are (1) having control over when & where one dies, (2) having access to therapeutic, medical and other benefits, (3) not having life prolonged pointlessly against will. The end of Lily Gari in Edna Ferber's *The House of Mirth* (1905) illustrates what might be termed as death with dignity. Having self-administered overdose of sedative, Lily walls with 'a mournful pleasure for the first effects of the soporific'.

She knew in advance what form they would take—the gradual dissolution of the inner trials, the soft approach of passiveness, as though an invisible hand made magic passes over her in the darkness. The very slowness and hesitancy of the effect increased its fascination. It was delicious to lean over and look down into the dim abysses of unconsciousness. Tonight the drug seemed to work more slowly than usual: each passionate pulse had to be stilled in turn, and it was long before she felt them dropping into slumber. The sentinels falling asleep at their posts.... Slowly sleep began to enfold her. She struggled faintly against it, feeling that she ought to ~~leave~~ awake on account of the baby.... for a moment she seemed to have lost her hold of the child. But no—she was mistaken—the tender pressure of its body was still close to hers; the recovered warmth flowed through her once more, she yielded to it, sank into it, and slept (Wharton 320-21).

The depiction of Lily's death, if assisted by a doctor to relieve her of her unbearable physical torments, would convince us why euthanasia should be accepted without hesitation – because in it the dignity of life and the dignity of death both are preserved.

The principal objection to euthanasia is not so much medical as ethical. Ethics, incidentally, is a normative science that tries to formulate principles for judging the rightness or wrongness of human conduct. Two common characteristics of moral principles are universalizability and unconditionality. In other words, they are not only inviolable but their applicability is not subject to space-temporal laws. Yet ethical principles have been touted and such transgressions have sometimes been vindicated ethically. In the Mahabharata, when, in order to make Drona give up fighting, Yudhishthira utters 'Ashvathama nahe idam jyoti' (Ashvathama, the elephant, is dead) – The elephant whisperingly – he is guilty of killing a lie, for he makes an expedient use of equivocation. Ethics takes into consideration intention and here Yudhishthira's intention is politically expedient rather than morally impeccable. An opposite example is found in the conduct of sage Kaushika who refuses to tell a white lie to save an innocent life. Interestingly, both are to go to hell, Kaushika is condemned to suffer there, Yudhishthira is just a visitor. The conclusion that may be drawn from the story of Kaushika is that saving the innocent is more important than keeping a personal oath of truthfulness. Here transgression of moral principle would have been more rational if less in accordance with dry ethical codes. Dehydrated of this human touch, ethics becomes a barren and irrelevant exercise. The ethical transgressor on the part of Yudhishthira is prompted by a nobler aim of defeating the Kauravas who represent the vicious and the unjust. Yet since it involves more slothful, despite his life-long truthfulness, Yudhishthira cannot avoid visiting the hell. The story of Yudhishthira teaches us that violation of ethical principles is not desirable even when unavoidable. The moral that can be abstracted from these two stories is that if virtuous conduct is divorced from true goodness (i.e. where both end & means are good), it ceases to be a virtuous conduct. It has been rightly said that ethics is to be judged in the light of reason, for what is rational may not always be ethically satisfying. Where the moral is in conflict with the rational, the rational is to be preferred, or else we will be doomed to have the destiny of sage Kaushika. Euthanasia, if rationally acceptable, is to be administered despite the fact that it goes against some codes of medical ethics. Here it would be unwise to avoid the rational course of action. To rank the moral above the rational is to repeat the tragedy of Savita Halasparavar whose life could have been saved if only the particular law had made some provision for exception or if all concerned had followed the law in spirit rather than to the letter.

Advocates of euthanasia who defend it on eugenic or economic grounds seem to be Savita's advocate. As eability is deemed an aberration, eugenics – the science of good genes – demands that the defective life in any form is to be removed. But upholding euthanasia on this

ground is a barbarous proposition, for the wicked might interpret it as an incentive to ethnic cleansing. One recalls how the Nazis projected the Jews as unter-menschen or subhuman before they launched their programme of exterminating the Jews, a programme which was euphemistically designated as *Die Endlösung* – the Final Solution. Astronomical expenses of palliative care in hospices have prompted many pragmatists to support euthanasia. This sounds realistic, for where our means are limited, we cannot afford to put to practice the noble ideal of caring for every life. If five critically ill patients are admitted to a three-bedded CCU, the doctor is to go by priority. So ignoring the demands of the last cases, he makes the life-support system available for those who have mixed chances of survival. The doctor's decision may be rational but justifying euthanasia for limitedness of our resources would reveal the weakness of our argument. Here the rational solution will be maximizing the means as to make provisions comprehensive enough, not dispensing with any single life on calculation of medical expenses involved in attending for palliative care.

The debate over euthanasia has laid bare another medical dilemma which springs from the quality of our expectations. Instead of having everything to nature we welcome medical interference when it is a question of curing a disease or curing suffering by inactivation. But we oppose medical interference and demand clinical irrelevance, if it is a question of putting an end to suffering by having recourse to euthanasia. One should not forget that advancement in medical technology has infinitely complicated the issue of life and death. Whereas in the past a terminally ill person would have taken seven hours to die naturally, today, thanks to medical miracles, he might take seven years to breathe his last. When days are numbered, to artificially prolong life is virtually to compromise with the dignity of life.

The Parable of the Good Samaritan contains a moral which might act as a lighthouse for the doctor in this ocean of moral conflict. Unlike the priest or Levite who did not take care of the wounded man 'lying in agony by the side of the road, the Samaritan 'bound up his wounds' out of compassion and then 'brought him to an inn, and took care of him' (Luke 10: 25-27). When he left the place next morning, he arranged for his recuperative care at his own expenses. The parable exhorts us not to be indifferent but to be sensitive to others' sufferings. What is required is not dry compassion but compassion as an incentive to action. And if we are genuinely concerned, we should not sentimentalize the point of death which may be medically pre-scheduled to relieve agony of a patient at the irreversible stage of a disease. Euthanasia may be a human gesture to stand a sufferer in good stead or an excuse for killing with an ulterior motive. In his book *The Forgotten Art of Healing and Other Essays* Dr. Jiddu Krishnamurti rightly observes that 'it is the intention that defines the act, and not the method used' (Lokavidya 33). The most convincing argument for choice of involuntary euthanasia for patients who have slipped into irreversible coma or who are in persistent vegetative state has been articulated by Lord Hoffman in his judgment on the case of Anthony Bland:

but the very concept of having a life has no meaning in relation to Anthony Bland. He is alive, but has no life at all.... There is no question of his life being over living or not worth living, because the stark reality is that Anthony Bland is not living a life at all.

The point advanced by Lord Justice Hoffman is that when the patient is in PVS, the question of medical termination of life should not be raised at all because the patient, strictly speaking, is 'not living.'

To sum up, it is the severity of unmitting suffering and indignities associated with the natural process of dying that have strengthened argument in support of euthanasia. Even when one lives it justifies precaution against its abuse is a must. First of all, voluntary euthanasia may be allowed if the attending doctor is certain about the futility of continuing treatment. This will-state should preferably be determined by a board rather than by a single medical practitioner in order to minimize chances of error. As consent must precede administration of VE, what is to be ensured is that the choice of death is well-judged, and not a fleeting thought prompted by a gnawing suffering. Considerable time must elapse between the first choice of euthanasia and its administration. The case of *Deema Sood*<sup>1</sup> illustrates that if some time is given to adjust with adversity, many sufferers may find life easier than death. It is also to be ensured that euthanasia not prompted by emotional breakdown which may lead not aside physical affliction unchecked by curative treatment or palliative care. Moreover, in order to differentiate euthanasia from suicide, it may be allowed to a patient whose days are literally numbered or who cannot survive at all.

So it is wrong either to disapprove over euthanasia or stick to the civilized way of bidding farewell to the world on religious, moral, economic or medical grounds. All discourses on euthanasia will be incomplete if the issue is not considered from the standpoint of the sufferer, since it is the weaker who knows where the shoe pinches. We will surely have no hesitation in welcoming it if we look upon death as a merciful deliverer rather than a fearful tormentor. The more science advances, the less will we have any need for searching choice for euthanasia. Finally, where there is any conflict between the ethical and the rational, we should opt for the rational, for what is rational cannot be unethical unless we are using ethics in a very narrow sense. But when the rational is in conflict with the humane, we should not scruple to embrace the humane solution, for what is humanity acceptable has an intrinsic value whether or not ratified by our will and reasoning.

## References:

1. Although this law was first officially acknowledged, Prof. Carl, President Medical Society of San Diego, in a posthumous tribute to Dr Kevorkian, wrote: "Love him or hate him, Jack Kevorkian was the face of the right-to-die movement for almost a decade... His last, best attempt was the final, And, mercifully, however belated, mark in offering assistance from his "botom." But the truth and this is the most important lesson, Jack Kevorkian. <http://www.jackkevorkian.org/works/and/obit.pdf>
2. Rosemarie Dawson, a nearly one-year-old Oxford University student, who had been battling for three months, died for P&G in 1991 and this is a beneficiary of euthanasia.
3. Arun Kidwai, a former senior at King Edward Memorial Hospital, suffered severe brain damage consequent upon drug induced convulsions. Although this has been in practice longer than since 1973, this has not been allowed as yet.
4. "PVS is a state in which there is generally unconscious damage to the cerebral hemisphere. The brain stem, which is responsible for the respiration, heartbeat such as regulation movement and the regulation of heart rate and rhythm, is still in tact. Patients therefore breathe spontaneously, have normally functioning heart, and require no support other than nursing care (nursing, nutrition and) feeding and the provision of fluids. Positive and negative are generally done through nasogastric tube, enteral, parenteral, liquid or glucose going directly into the stomach." <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1610636/>

1. The right to die with dignity: 'I will provide regimen for the good of my patient according to my ability and my judgment and never do harm to anyone. To please no one will I practice a deadly drug, nor give advice which may cause his death.'  
<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1129725/>
2. 'Some doctors believe that about 70% of patients don't have their pain properly relieved during the final phase of their illness, despite good palliative and hospice care.' *When Patients Come to Die*  
<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1129725/>
3. A promising young *British Doctor*, Dr. Suzy McElroy has developed a programme of medical advocacy, but she was not helped with an advance care plan (ACP) by hospital in England when the time of her death. Subsequently, she was unable to speak. *British Doctor* died on 21 October 2012.
4. M. Elmerich in *The Right to Death and Care of Dying People: The Right to Die* names the following twelve conditions of good death:
  - To know when death is coming, and to understand what can be expected
  - To be able to resist, control, or what happens
  - To be afforded dignity and privacy
  - To have control over pain relief and other symptom control
  - To have choice and control over where death occurs (at home or elsewhere)
  - To have access to information and expertise of whatever kind is necessary
  - To have access to my spiritual or emotional support required
  - To have access to hospice care in any location, not only in hospital
  - To have control over who is present and who shares the end
  - To be able to have advance directives which ensure wishes are respected
  - To have time to say goodbye, and control over other aspects of dying
  - To be able to leave when it is time to go, and not to have life prolonged pointlessly  
<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1129725/>
5. 'Medical advances have altered the physiological conditions of death in ways that may be frightening; highly invasive medical interventions, like resuscitation through a resuscitation efforts and machines that can make reasonably regard as an insult to life, often from its continuation' (p. 17)  
<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1129725/>
6. *Anna Seelig*, a self-styled 'dying doctor' adopted by alternative activists since 1993 has appealed for mercy-killing, but finally changed her mind and chose to continue with all her treatments.

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